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SEP 21 2010
STATE BAR COURT
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**REVIEW DEPARTMENT OF THE STATE BAR COURT
IN BANK**

In the Matter of)	05-C-01520
)	
)	
ALLEN EDWARD JOHNSON)	RECOMMENDATION OF SUMMARY
)	DISBARMENT
)	
<u>A Member of the State Bar.</u>)	

On August 3, 2010, the State Bar filed a motion recommending that Allen Edward Johnson, State Bar No. 195207, be summarily disbarred based on his felony conviction. Respondent did not oppose the motion. Based on the record of conviction, we recommend that Johnson be disbarred.

On June 2, 2008, Johnson was convicted of six counts of honest services wire fraud (18 U.S.C. §§ 1343 & 1346).¹ As a result of Johnson's conviction, we placed him on interim suspension effective July 29, 2008, and he has remained on interim suspension since that time. Johnson's conviction is now final. (Cal. Rules of Court, rule 9.10(a).)

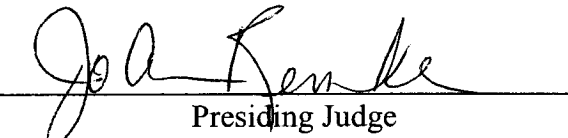
The record of conviction establishes that Johnson's conviction meets the criteria for summary disbarment under Business and Professions Code section 6102, subdivision (c). This statute provides for summary disbarment when an attorney is convicted of a felony involving moral turpitude or the specific intent to deceive, defraud, steal, or make a false statement. (*Ibid.*)

¹ Johnson was also convicted of one felony count of conspiracy to commit money laundering (18 U.S.C. § 1956(h)). We conclude Johnson's conviction for wire fraud is sufficient to recommend that he be summarily disbarred.

First, Johnson's offenses are felonies. (18 U.S.C. § 3559(a)(2)-(3).) Second, an element of the offenses is the specific intent to defraud. (*United States v. McNeil* (9th Cir. 2003) 320 F.3d 1034, 1040 [wire fraud has three elements: a scheme to defraud, use of the wires in furtherance of the scheme, and the specific intent to defraud].)

When an attorney's conviction meets the requirements of section 6102, subdivision (c), "the attorney is not entitled to a State Bar Court hearing to determine whether lesser discipline is called for." (*In re Paguirigan* (2001) 25 Cal.4th 1, 4-7.) Disbarment is mandatory. (*Id.* at p 9.)

We therefore recommend that respondent Allen Edward Johnson, State Bar No. 195207, be summarily disbarred from the practice of law in this state. We also recommend that he be ordered to comply with California Rules of Court, rule 9.20, and to perform the acts specified in subdivisions (a) and (c) of that rule within 30 and 40 days, respectively, after the effective date of the Supreme Court's order. Finally, we recommend that the costs be awarded to the State Bar in accordance with section 6086.10 of the Business and Professions Code and that such costs be enforceable both as provided in Business & Professions Code section 6140.7 and as a money judgment.


Presiding Judge

CERTIFICATE OF SERVICE
[Rule 62(b), Rules Proc.; Code Civ. Proc., § 1013a(4)]

I am a Case Administrator of the State Bar Court. I am over the age of eighteen and not a party to the within proceeding. Pursuant to standard court practice, in the City and County of Los Angeles, on September 21, 2010, I deposited a true copy of the following document(s):

**RECOMMENDATION OF SUMMARY
DISBARMENT FILED SEPTEMBER 21, 2010**

in a sealed envelope for collection and mailing on that date as follows:

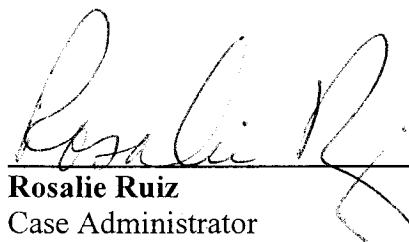
- ☒ by first-class mail, with postage thereon fully prepaid, through the United States Postal Service at Los Angeles, California, addressed as follows:

**DAVID C. CARR
LAW OFFICE OF DAVID CAMERON CARR
530 B ST STE 1410
SAN DIEGO, CA 92101**

- ☒ by interoffice mail through a facility regularly maintained by the State Bar of California addressed as follows:

KRISTIN L. RITSEMA, Enforcement, Los Angeles

I hereby certify that the foregoing is true and correct. Executed in Los Angeles, California, on September 21, 2010.



Rosalie Ruiz
Case Administrator
State Bar Court